

Mr. JOHNSON. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Michael Jay Newman, of Ohio, to be United States District Judge for the Southern District of Ohio.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 551, S. 4653, a bill to protect the healthcare of hundreds of millions of people of the United States and prevent efforts of the Department of Justice to advocate courts to strike down the Patient Protection and Affordable Care Act.

Charles E. Schumer, Richard J. Durbin, Patty Murray, Tim Kaine, Martin Heinrich, Jack Reed, Jeff Merkley, Bernard Sanders, Jon Tester, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Richard Blumenthal, Angus S. King, Jr., Michael F. Bennet, Edward J. Markey, Chris Van Hollen, Sheldon Whitehouse, Kirsten E. Gillibrand.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 4653, a bill to protect the healthcare of hundreds of millions of people of the United States and prevent efforts of the Department of Justice to advocate courts to strike down the Patient Protection and Affordable Care Act, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. LEE), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) and the Senator from Montana (Mr. TESTER) are necessarily absent.

The yeas and nays resulted—yeas 51, nays 43, as follows:

[Rollcall Vote No. 200 Ex.]

YEAS—51

Baldwin	Gillibrand	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Rosen
Booker	Hirono	Sanders
Brown	Jones	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Leahy	Smith
Collins	Manchin	Stabenow
Coons	Markey	Sullivan
Cortez Masto	McSally	Udall
Duckworth	Menendez	Van Hollen
Durbin	Merkley	Warner
Ernst	Murkowski	Warren
Feinstein	Murphy	Whitehouse
Gardner	Murray	Wyden

NAYS—43

Barrasso	Fischer	Risch
Blackburn	Grassley	Roberts
Blunt	Hawley	Romney
Boozman	Hooven	Rounds
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Shelby
Cornyn	Lankford	Thune
Cotton	Loeffler	Tillis
Cramer	McConnell	Toomey
Crapo	Moran	Wicker
Cruz	Paul	Young
Daines	Perdue	
Enzi	Portman	

NOT VOTING—6

Alexander	Harris	Rubio
Graham	Lee	Tester

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 43.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The PRESIDING OFFICER. The Senator from Louisiana.

UNANIMOUS CONSENT REQUEST—S. 4756

Mr. KENNEDY. Mr. President, I want to talk just for a few moments about the internet and social media, and I want to make it clear, first, that I believe firmly in free will and responsibility. I believe that no matter what kind of day you are having or what is going on in your life, that you are responsible for your actions.

But I think we all know, as a matter of experience and common sense, that there are things in this world that can influence our actions. Social media, which I consider to be an American invention, has many virtues and many advantages, and we know that. I think it has brought the world closer today. I think it has given many people a voice. I think it is an extraordinary source of knowledge.

But like other innovations in this world, it has a downside. And one of those downsides is the fact that, too often, social media becomes an endless electronic brawl, and rather than bringing us together and exposing us to other points of view and causing us to test our assumptions against the arguments of others, it brings us apart. I think social media is, in part, responsible for that.

We all know that many social media platforms are free. Let's take Facebook, for example. Facebook is a free service. You open an account; you go on Facebook; and you can find out what your high school friends had for

dinner Saturday night. Now, we give up a lot from that privilege of watching what our high school friends had for dinner Saturday night. Facebook collects an enormous amount of information about us. And, once again, I am not just picking on Facebook. I am using them as an example because it is such a popular platform that we all know about. Facebook uses that information in a number of ways.

First, Facebook uses it to make money. They know a lot of stuff about us from collecting information about us so they can sell advertisers' ads, and they can tailor those ads to the individuals who are on Facebook according to the information that the social media platform—in this case, Facebook—has about them. You can even sell more ads if you can keep people who are on Facebook coming back and coming back and coming back.

So this is what happens. Some see this as a virtue, and some see it as a vice. A social media platform like Facebook gathers an enormous amount of information about us, and they learn, in intricate detail, what motivates us and what our interests are. Another way of saying that would be they learn what our hot buttons are. And they continually show us—what is the word I am looking for—advertisements, information, and postings of other people on Facebook that reinforce our beliefs, and, in some cases, they show us very radical bits of information that really push our hot buttons.

Now, why do they do that? Well, No. 1, it will keep us coming back to Facebook, and it will keep us on Facebook longer, which means that advertisers like us better because we are seeing their ads, and it means that Facebook can sell more ads at a higher price. I am not criticizing them. That is just the way the business works.

But the downside of it is that we only see one point of view. Our point of view is reaffirmed. We never see other points of view. We are never encouraged to question our assumptions or to test our assumptions against the arguments of others.

Now, how does Facebook do this? And, again, I don't mean to just pick on Facebook, but it is an example we are all aware of. They use algorithms. I am not going to try to explain algorithms, but that is how they show us information that pushes our hot buttons.

The social media platforms contend that they are not involved in content and that they are just publishers. So when somebody pushes your hot button and you get angry and you say something that you probably shouldn't say—that is why Facebook has turned into an endless electronic brawl—Facebook says: Hey, it is not our fault. We are just a publisher. That is why, under the law, Facebook enjoys what we call section 230 liability.

But as long as these algorithms are used to push our hot buttons, to reaffirm our points of view, to not show us